

From: Andrew Carpenter
To: Microsoft ATR
Date: 1/24/02 1:27am
Subject: Microsoft Settlement

To whom it may concern;

I wish to register my opposition to the proposed settlement in the Microsoft antitrust trial.

I do not believe this settlement provides adequate redress for Microsoft's past actions, nor does it sufficiently restrict it from committing similar acts in future. Some clauses in the proposal may even serve to legitimize some its activities which have been found to be anticompetitive.

Microsoft has already demonstrated its willingness to flaunt a settlement agreement related to antitrust actions. Any future settlement it enters into will need to be absolutely watertight to prevent exploitation of loopholes, and I do not believe this agreement meets such standards even for the terms it does seek to enforce. Microsoft's happiness with the current proposal -- and its apparent eagerness for it to be adopted -- should serve as further indication that it is an insufficient solution.

I urge you not to accept this proposal, and to seek an alternative remedy. I can understand the court's preference to reach a settlement, but if the parties cannot agree on terms that will provide appropriate redress for past actions and restriction for future actions, then the court must impose more stringent remedies itself.

Sincerely,

Andrew Carpenter